

Assembly Bill No. 1117

CHAPTER 53

An act to add Section 45023.4 to the Education Code, relating to certificated employees, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor June 30, 1999. Filed with
Secretary of State July 1, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1117, Calderon. Teacher salaries.

Under existing law, the governing board of each school district is generally required to establish the compensation paid to persons in public school service that require certification.

This bill would permit the governing board of a school district, the county superintendent of schools, or the county boards of education, in the 1999–2000 fiscal year, to increase the lowest salary on the salary schedule for a certificated employee that meets certain requirements by designating as the lowest salary on the salary schedule an amount not to exceed \$32,000. This bill would set forth procedures for providing per-pupil incentives to local educational agencies for providing this increase.

The bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 45023.4 is added to the Education Code, to read:

45023.4. (a) This section shall be known, and may be cited, as the Jack O'Connell Beginning-Teacher Salary Incentive Program. Commencing in the 1999–2000 fiscal year the governing board of a school district, the county superintendent of schools, or the county board of education may increase, for teachers who meet the requirements of this subdivision, the salary on its adopted certificated employee salary schedule as provided in subdivision (b). Any school district that elects to meet the requirements of this section shall be eligible to receive the incentive amount provided by subdivision (c). For purposes of this section, any teacher for whom the governing board, county superintendent of schools, or county board of education may increase salaries shall meet all of the following criteria:

(1) Hold a valid California teaching credential, not including an emergency permit, intern permit, or waiver.

(2) Possess a baccalaureate or higher degree.

(3) Receive a salary paid from the general fund of the district or county office.

(b) The governing board, county superintendent of schools, or county board of education that elects to increase teachers' salaries as authorized pursuant to subdivision (a) shall perform the following computations:

(1) The governing board, county superintendent of schools, or county board of education shall designate as the lowest salary on the salary schedule for a certificated employee meeting or exceeding the criteria in subdivision (a) an amount equal to a minimum annual salary of thirty-two thousand dollars (\$32,000). If such a salary change has costs to the school district or county office of education that are equal to or greater than the incentive received pursuant to subdivision (c), school districts and county offices of education whose costs are less than the incentive received shall use the remainder to increase the beginning salary by an amount above thirty-two thousand dollars (\$32,000) which fully applies the incentive received.

(2) The governing board, county superintendent of schools, or county board of education shall increase to the annual salary amount in paragraph (1) the salary of any certificated employee meeting the criteria in subdivision (a) whose salary on the salary schedule is less than the amount computed in paragraph (1) and, notwithstanding Section 45028, shall incorporate that increase into the salary schedule.

(3) The newly adopted salary schedule shall contain only one cell that meets the amount set forth in paragraph (1), which most often is the first-year step of a salary schedule column for certificated personnel who meet the criteria set forth in subdivision (a). All other salary schedule cells shall exceed the level set forth in paragraph (1) for personnel that meet the criteria in subdivision (a).

(c) In the 1999–2000 fiscal year, the Superintendent of Public Instruction shall divide the amount appropriated for the purposes of this section by the 1999–2000 second principal apportionment average daily attendance for school districts and county offices of education, increased by an amount necessary to compensate for the deficit factor calculated pursuant to Sections 2558.45 and 42238.145. The result of this calculation shall be made available in the 1999–2000 second principal apportionment to each school district and county office of education that certifies to the Superintendent of Public Instruction that it is in full compliance with this section.

(d) Each school district or county office of education that meets the requirements of subdivision (b) may adjust its revenue limit computed pursuant to Section 2550 or 42238 to reflect the amount received for purposes of calculating revenue limits for the 2000–01 fiscal year and each fiscal year thereafter.

(e) The adjustment to the district's revenue limit prescribed in subdivision (d) shall continue so long as the increase in the salary

schedule made pursuant to paragraph (2) of subdivision (b) is maintained.

(f) The adjustment made to school district or county office of education revenue limits pursuant to subdivision (d) shall not be considered part of the base revenue limit for the purpose of computing equalization adjustments or determining other wealth-related differences in school funding.

(g) This section does not prohibit a school district and its employees from negotiating salary schedules.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to make the statutory changes necessary to authorize school districts to increase teachers' salaries, and to implement the Budget Act of 1999, it is necessary for this act to take effect immediately as an urgency measure.

